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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/613,980	07/05/2003	Michael D. Doyle	001-2-2	4346

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EXAMINER
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BOTTS, MICHAEL K

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/613,980

Applicant(s)

DOYLE, MICHAEL D.

Examiner

Michael K. Botts

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 10 and 11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10 and 11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This document is a Final Office Action on the merits. This action is responsive to the following communications: Response to Office Action, which was filed on April 21, 2006.
2. The specification was objected to for excessive lines of computer code. Applicant has appropriately amended the specification and submitted the computer code in the appropriate manner. Accordingly, the objection to the specification is withdrawn.
3. The abstract of the disclosure was objected to for incorrectly identifying the invention. Applicant has submitted an acceptable replacement abstract. Accordingly, the objection is withdrawn.
4. The title was objected to. Applicant obviated the objection by amending the claims. Accordingly, the objection to the title is withdrawn.
5. Claim 10 was objected to on informalities. Applicant has corrected the informalities. Accordingly, the objection is withdrawn.
6. A double patenting rejection was made. Applicant has filed an appropriate terminal disclaimer. Accordingly, the double patenting rejection is withdrawn.
7. Claim 10 was rejected under 35 U.S.C. 112. Applicant has amended the claim to avoid the rejection. Accordingly, the rejection is withdrawn.
8. Claims 10 and 11 are currently pending in the case, with claims 10 and 11 being the independent claims.
9. Claims 10 and 11 are rejected.

***Claims Rejection – 35 U.S.C. 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. **Claims 10 and 11** are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Lipscomb, et al. (U.S. Patent 6,230,167 B1, filed November 15, 1996) [hereinafter "Lipscomb"].

Regarding **independent claim 10**, Lipscomb teaches:

*A computer program product, for use in a system having at least one client computer and one network server coupled to a network environment, where the client computer displays one of a plurality of two-dimensional secondary spatial images of an original multi-dimensional image, with locations in the two dimensional secondary spatial image specified by values of first and second coordinates and a predefined additional coordinate of a corresponding location in the original multi-dimensional image, with the computer program product recorded onto a computer useable medium, having computer readable code physically embodied thereon, that is capable of being executed by the network*

*server, for associating specified program actions with locations in images viewed on the client computer, the computer program product comprising:*

*computer readable program code for causing the network server to read a secondary image map, with the secondary image map having unique entries correlating to values of the first, second, and additional coordinates of the original multi-dimensional image, with each entry holding a pointer value;*

(See, Lipscomb, col. 3, lines 46-54, teaching that the invention may be practiced over a network, such as the Internet.

See also, Lipscomb, col. 4, line 1 through col. 7, line 6, specifically col. 4, lines 36-40, teaching a primary map as the "cylindrical environment map" and a secondary image map as the "hotlink environment map." The first coordinate is taught as the "x coordinate" and is read from the column range index, and the second coordinate is taught as the "y coordinate" and is read from the row index. See, Lipscomb, col. 4, line 51 through col. 5, line 33. The additional coordinate is the red color value of the pixel at the "x-y" coordinate, or it may be another data value to identify the hotlink area. See, Lipscomb, col. 6, lines 24-28.

See also, Lipscomb, claim 1, specifying first and second maps.)

*computer readable program code for causing the network server to access a selected entry of the secondary image map specified by particular values of the first, second, and additional coordinates to retrieve a selected pointer held by the selected entry when a particular location of the two-dimensional secondary spatial image displayed on the client computer is selected, with the particular*

*values of the first, second, and additional coordinates sent to the server computer from the client computer over the computer network environment; and*  
(See, Lipscomb, col. 6, line 61 through col. 7, line 6, teaching computer readable program code for causing the network server to access a selected entry of the secondary image map as specified by particular values of the x, y, and pixel color coordinates indexed. See also, Lipscomb, col. 9, line 6 through col. 10 line 48.)

*computer readable program code for causing the network server to utilize a retrieved selected pointer to access hot program actions associated with the particular location in the original multi-dimensional image.*  
(See, Lipscomb, col. 5, lines 25-33, teaching that the hotlink environment map stores information that points to or defines a command or action to be performed upon user selection of the pixels in the hotlink area of the cylindrical environment map.)

Regarding **independent claim 11**, Lipscomb teaches:

*A method implemented on a network server in a system having at least one client computer and one network server coupled to a network environment, where the client computer displays one of a plurality of two-dimensional secondary spatial images of an original multi-dimensional image, with locations in the two-dimensional secondary spatial image specified by values of first and second coordinates and a predefined additional coordinate of a corresponding location in the original multi-dimensional image, with the method for associating specified program actions with locations in images viewed on the client*

*computer, the method comprising:*

*reading a secondary image map, with the secondary image map having unique entries correlating to values of the first, second, and additional coordinates of the original multi-dimensional image, with each entry holding a pointer value;*

*accessing a selected entry of the secondary image map specified by particular values of the first, second, and additional coordinates to retrieve a selected pointer held by the selected entry when a particular location of the two-dimensional secondary spatial image displayed on the client computer is selected, with the particular values of the first, second, and additional coordinates sent to the server computer from the client computer over the computer network environment; and*

*utilizing a retrieved selected pointer to access hot program actions associated with the particular location in the original multi-dimensional image.*

(See, Lipscomb, col. 3, lines 46-54, teaching that the invention may be practiced over a network, such as the Internet.

See also, Lipscomb, col. 4, line 1 through col. 7, line 6, specifically col. 4, lines 36-40, teaching a primary map as the "cylindrical environment map" and a secondary image map as the "hotlink environment map." The first coordinate is taught as the "x coordinate" and is read from the column range index, and the second coordinate is taught as the "y coordinate" and is read from the row index. See, Lipscomb, col. 4, line 51 through col. 5, line 33. The additional coordinate is the red color value of the pixel at

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the "x-y" coordinate, or it may be another data value to identify the hotlink area. See, Lipscomb, col. 6, lines 24-28.

See also, Lipscomb, claim 1, specifying first and second maps.

See also, Lipscomb, col. 5, lines 25-33, teaching the use of pointers in the mapping of the information.

See, Lipscomb, col. 5, lines 25-33, teaching that the hotlink environment map stores information that points to or defines a command or action to be performed upon user selection of the pixels in the hotlink area of the cylindrical environment map.)

11. It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

### ***Response to Arguments***

Applicant's arguments with respect to claims 10 and 11 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP



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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS for the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael K. Botts whose telephone number is 571-272-5533. The examiner can normally be reached on Monday through Friday 8:00-4:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MKB/mkb



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